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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/718,158

11/20/2003

Shahzad H. Bhatti

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04/26/2006

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EXAMINER

LEROUX, ETIENNE PIERRE

ART UNIT

PAPER NUMBER

2161

DATE MAILED: 04/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/718,158	Applicant(s) BHATTI, SHAHZAD H.	
	Examiner Etienne P. LeRoux	Art Unit 2161	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>11/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Status:

Claims 1-21 are pending. Claims 1-21 are rejected as detailed below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 2, 4-10, and 12-21 are rejected under 35 U.S.C. 102(b) as being anticipated by US Pat No 5,864,870 issued to Guck (hereafter Guck).

Claims 1, 9 and 14-17:

Guck discloses: receiving data in the storage device; transforming the received data into a first data object; and storing the first data object in a hierarchical data structure, the hierarchical data structure containing plural levels of data objects [col 3, lines 25-40]

Claims 2 and 21:

Guck discloses wherein the received data is associated with information describing the received data, and the hierarchical data structure contains plural levels of interconnected nodes, each node representing a respective data object, wherein storing the first data object in the hierarchical data structure comprises storing the first data object as one of the nodes based on the information describing the received data [Fig 4A]

Claim 3:

Guck discloses wherein receiving the data comprises receiving a file having a header portion containing the information describing the received data.

Claims 4, 5, 6 and 20:

Guck discloses wherein the received data is associated with information describing the received data, and wherein different portions of the hierarchical data structure represent different categories of data, and wherein storing the first data object comprises storing the first data object in one of the different portions based on the information describing the received data [Fig 4A].

Claims 7, 8 and 12:

Guck discloses wherein receiving the data comprises receiving a first file, and the hierarchical data structure comprises a first hierarchical data structure, the method further comprising: receiving a second file in the storage device; transforming the second file to a second data object; and storing the second data object in a second hierarchical data structure [abstract].

Claims 10, 13, 18 and 19 :

Guck discloses wherein the data structure comprises a hierarchical data structure having plural interconnected nodes, each node representing a corresponding data object, wherein storing the first data object comprises storing the first data object as one of the nodes in the hierarchical data structure based on the metadata [Abstract, Fig 4A]

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Guck in view of US Pat No 6,496,868 issued to Krueger et al (hereafter Krueger).

Claims 3 and 11:

Guck discloses the elements of claim 1/10 as noted above but does not disclose wherein receiving the data comprises receiving a file having a header portion containing the information describing the received data. Krueger discloses wherein receiving the data comprises receiving a file having a header portion containing the information describing the received data [col 6, lines 1-6]. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Guck to include wherein receiving the data comprises receiving a file having a header portion containing the information describing the received data as taught by Krueger for the purpose of quickly determining that transcoding is required [col 6, lines 1-6]

Contact Information:

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Etienne P. LeRoux whose telephone number is (571) 272-4022. The examiner can normally be reached Monday through Friday between 8:00 am and 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on (571) 272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Etienne LeRoux

4/25/2006

A handwritten signature in black ink, appearing to read 'Etienne LeRoux', is written over the typed name and date.